

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PACIFIC LIFE INSURANCE COMPANY and
PACIFIC LIFE & ANNUITY COMPANY

Plaintiffs,

- against -

U.S. BANK NATIONAL ASSOCIATION and
BANK OF AMERICA, N.A.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 4/16/18

Case No. 16-cv-00555 (PGG)

Hon. Paul G. Gardephe

**STIPULATION AND [PROPOSED] ORDER
TO MODIFY BRIEFING SCHEDULE ON
MOTIONS TO DISMISS AMENDED
COMPLAINT**

WHEREAS, on November 30, 2017, Pacific Life Insurance Company and Pacific Life & Annuity Company ("Plaintiffs") filed an Amended Complaint in this action; and

WHEREAS, on December 26, 2017, this Court granted Bank of America, N.A.'s and U.S. Bank National Association's (collectively, "Defendants") request for leave to file motions to dismiss Plaintiffs' Amended Complaint; and

WHEREAS, pursuant to the Court's December 26, 2017 Order, Plaintiffs' oppositions to Defendants' motions to dismiss are currently due on April 16, 2018; and Defendants' replies are due on May 14, 2018; and

WHEREAS, Bank of America requested an extension of the briefing schedule in order to accommodate certain conflicts that have arisen in its counsel's schedules;

WHEREAS, the parties have met and conferred and jointly agree that, the deadline for Plaintiffs to file their oppositions should be extended by four days to April 20, 2018, and the deadline for Defendants to file their replies should be extended by those four days, as well as an additional three days, to May 21, 2018; and

WHEREAS, all parties consent to the proposed extension; and

WHEREAS, the parties have not previously sought an extension of the briefing schedule on Defendants' motions to dismiss Plaintiffs' Amended Complaint; and

WHEREAS, the proposed extension of the briefing schedule would not affect any other scheduled dates in this matter;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for each of the Plaintiffs and for each of the Defendants that:

1. The deadline for Plaintiffs to serve their oppositions to Defendants' motions to dismiss is extended to April 20, 2018; and
2. The deadline for Defendants to serve and file their replies is extended to May 21, 2018.

Dated: April 11, 2018

Respectfully submitted,

/s/ Ryan A. Kane

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*Attorneys for Plaintiffs Pacific Life Insurance Company and
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Dated: April 11, 2018

/s/ Michael T. Marcucci

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Attorneys for Defendant U.S. Bank National Association

Dated: April 11, 2018

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IT IS SO ORDERED:

Dated: April 13, 2018

Paul G. Gardephe
Hon. Paul G. Gardephe
U.S. District Judge